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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,632	03/15/2004	Constance S. Murray	18538.04	8534

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EXAMINER

BROWN, DREW J

ART UNIT	PAPER NUMBER
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3616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/799,632	Applicant(s) MURRAY, CONSTANCE S.	
	Examiner Drew J. Brown	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/22/06 (amendment).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8,9,11-13 and 15-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8,9,11-13 and 15-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 November 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the amendment filed on 11/22/06. Claims 8, 9, 12, and 13 have been amended, and claims 1-7, 10, 14, and 18-20 have been canceled.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lennox-Lamb (UK Pub. No. 2275597 A) in view of Roberts et al. (U.S. Pat. No. 3,954,280) and Princiotta (U.S. Pat. No. 2,856,991).

Lennox-Lamb discloses a lap belt (10, 12), an anchor strap (30) having a first end (top end in Figure 2) and a second end (bottom end in Figure 2), a clip-on fastener (34) coupled to the first end (Figure 2), a harness strap extending from the second end at angle, a proximate end fixedly attached to the anchor strap and a distal end ending in a loop, whereby forming an inverted Y-shape, and an adjustment device (24) disposed on the harness strap, designed and configured to adjust the length of the harness strap. Lennox-Lamb also discloses that the clip-on fastener is releasably attached to an anchor point of the vehicle (Figure 1), and that one end of the lap belt is threaded through the loops of the harness strap (Figure 2), whereby a passenger is secured into the vehicle seat, and the adjustment device is used to adjust the tension length of the harness strap.

Lennox-Lamb does not disclose that there is a pair of harness straps, where each strap has a length and an adjustment device. Roberts et al., however, does disclose a pair of harness straps (25 and 27), where each strap has a length and an adjustment device (39 and 41). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Lennox-Lamb in view of the teachings of Roberts et al. to have

a pair of harness straps located on either side of the anchor strap, each having an adjustment device so the occupant can adjust each particular strap for a desired comfort level.

Lennox-Lamb also does not disclose an anchoring means for releasable engagement with the clip-on fastener, where the anchoring means is positioned at the anchoring point which is located at a floor region positioned beneath the vehicle seat or a lower portion of a seatback of the vehicle seat, wherein the vehicle seat is a school bus seat. Princiotta, however, does disclose an anchoring means for releasable engagement with the clip-on fastener, where the anchoring means is positioned at the anchoring point which is located at a floor region positioned beneath the vehicle seat (Figure 6) or a lower portion of a seatback of the vehicle seat (Figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Lennox-Lamb in view of the teachings Princiotta to anchor the seatbelt at a floor region below the vehicle seat or to a lower portion of the seatback to allow passengers entering the vehicle behind the seat to not be obstructed by the seatbelt.

Although Princiotta discloses that fatalities in buses could be avoided by using appropriate safety devices (column 1, lines 23-27), Princiotta does not disclose that the vehicle seat is a school bus seat. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the safety device on a school bus seat to allow passengers entering the vehicle behind the seat to not be obstructed by the seatbelt.

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lennox-Lamb in view of Roberts et al. and Princiotta as applied to claim 8 above, and further in view of Jay (U.S. Pat. No. 4,786,080).

The combination of Lennox-Lamb, Roberts et al., and Princiotta discloses the claimed invention as discussed above but does not disclose a strip of soft material having hook and loop fastening material attached to each harness strap, in proximity to each adjustment device, wherein the strip of soft material releasably surrounds each of the adjuster devices.

Jay, however, does disclose a strip of soft material (17) having hook and loop fasteners (26), wherein the strip is selectively positioned near the occupant's neck or shoulder for comfort. Therefore, it would have been obvious to one having ordinary skill in the art at the time the

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invention was made to further modify the invention of Lennox-Lamb in view of the teachings of Jay to have a strip of soft material positioned around the adjustment devices, which are located adjacent the neck of the occupant, in order to protect the neck against irritation by the belt edge and prevent or reduce injury to the neck in the event of an accident (column 2, lines 1-3).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lennox-Lamb in view of Roberts et al. and Princiotta as applied to claim 8 above, and further in view of Turvill et al. (U.S. Pat. No. 5,380,067).

The combination of Lennox-Lamb, Roberts et al., and Princiotta discloses the claimed invention as discussed above but does not disclose an additional rigid member that is disposed around the air of harness straps for maintaining the pair of harness straps in a proximal position about the chest of the passenger of a vehicle.

Turvill et al., however, does disclose an additional rigid member having a first portion (58), a second portion (50), a first mating fastener (72) part coupled to the first portion, a second mating fastener (80) part coupled to the second portion, wherein the additional rigid member is disposed around the pair of harness straps for maintaining the pair of harness straps in a proximal position about the chest of the passenger (Figure 1).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the invention of Lennox-Lamb in view of the teachings of Turvill et al. to use an additional rigid member so that harness straps will prevent an occupant of smaller stature from slipping in between the harness straps during a collision.

5. Claims 12, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennox-Lamb in view of Roberts et al., Susko et al. (U.S. Pat. No. 5,671,948), and Princiotta.

Lennox-Lamb discloses a lap belt (10, 12), an adjustable (Figure 2) anchor strap (30) having a first end (top end in Figure 2) and a second end (bottom end in Figure 2), a clip-on fastener (34) fixedly and slidably attached to the first end (Figure 2), a harness strap extending from the second end at angle, a proximate end fixedly attached to the anchor strap and a distal end ending in a loop, whereby forming an inverted Y-shape, and an adjustment device (24) disposed on the harness strap, designed and configured to adjust the length of the harness strap.

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Lennox-Lamb also discloses that the clip-on fastener is releasably attached to hardware (Figure 1) that defines an anchor point of the vehicle, and that one end of the lap belt is threaded through the loops of the harness strap (Figure 2), whereby a passenger is secured into the vehicle seat, and the adjustment device is used to adjust the tension length of the harness strap. The hardware is mounted to a frame component of the vehicle body behind the vehicle seat (Figure 1).

Lennox-Lamb does not disclose that there is a pair of harness straps, where each strap has a length and an adjustment device. Roberts et al., however, does disclose a pair of harness straps (25 and 27), where each strap has a length and an adjustment device (39 and 41). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Lennox-Lamb in view of the teachings of Roberts et al. to have a pair of harness straps located on either side of the anchor strap, each having an adjustment device so the occupant can adjust each particular strap for a desired comfort level.

Lennox-Lamb also does not disclose that the hardware that defines an anchor point and includes at least a nut and bolt, first and second washers, and an angled plate having an eyelet and a bolt hole, wherein the angled plate is mounted to the vehicle using the bolt through the bolt hole, the first washer, the second washer, and the nut, and wherein the clip-on fastener is releasably attached to the eyelet of the angled plate.

Susko et al., however, does disclose hardware (Figure 5) including a nut and bolt, a washer, and an angled plate (60) having an eyelet (68) and a bolt hole, wherein the angled plate is mounted to the vehicle using the bolt through the bolt hole, the washer, and the nut. Susko et al. also discloses that the hardware is mounted to a frame component of the vehicle body beneath the vehicle seat (Figure 2).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Lennox-Lamb in view of the teachings of Susko et al. to include a nut and bolt, washers, and an angled plate having a bolt hole and an eyelet for the attachment of the clip-on fastener so that the safety harness can be securely anchored to the seat to protect the occupant during a collision.

Although Susko et al. does not show a second washer, the Examiner takes Official Notice that it is common in the art to use a second washer located adjacent the bolt head in order to create a more secure clamping connection.

Lennox-Lamb also does not disclose an anchoring means for releasable engagement with the clip-on fastener, where the anchoring means is positioned at the anchoring point which is located at a floor region positioned beneath the vehicle seat or a lower portion of a seatback of the vehicle seat, wherein the vehicle seat is a school bus seat. Princiotta, however, does disclose an anchoring means for releasable engagement with the clip-on fastener, where the anchoring means is positioned at the anchoring point which is located at a floor region positioned beneath the vehicle seat (Figure 6) or a lower portion of a seatback of the vehicle seat (Figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Lennox-Lamb in view of the teachings Princiotta to anchor the seatbelt at a floor region below the vehicle seat or to a lower portion of the seatback to allow passengers entering the vehicle behind the seat to not be obstructed by the seatbelt.

Although Princiotta discloses that fatalities in buses could be avoided by using appropriate safety devices (column 1, lines 23-27), Princiotta does not disclose that the vehicle seat is a school bus seat. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the safety device on a school bus seat to allow passengers entering the vehicle behind the seat to not be obstructed by the seatbelt.

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lennox-Lamb in view of Roberts et al., Susko et al., and Princiotta as applied to claims 12, 16, and 17 above, and further in view of Jay.

The combination of Lennox-Lamb, Roberts et al., Susko et al., and Princiotta discloses the claimed invention as discussed above but does not disclose a strip of soft material having hook and loop fastening material attached to each harness strap, in proximity to each adjustment device, wherein the strip of soft material releasably surrounds each of the adjuster devices.

Jay, however, does disclose a strip of soft material (17) having hook and loop fasteners (26), wherein the strip is selectively positioned near the occupant's neck or shoulder for comfort. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the invention of Lennox-Lamb in view of the teachings of Jay to have a strip of soft material positioned around the adjustment devices, which are located

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adjacent the neck of the occupant, in order to protect the neck against irritation by the belt edge and prevent or reduce injury to the neck in the event of an accident (column 2, lines 1-3).

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lennox-Lamb in view of Roberts et al., Susko et al., and Princiotta as applied to claims 12, 16, and 17 above, and further in view of Turvill et al.

The combination of Lennox-Lamb, Roberts et al., Susko et al., and Princiotta discloses the claimed invention as discussed above but does not disclose an additional rigid member that is disposed around the air of harness straps for maintaining the pair of harness straps in a proximal position about the chest of the passenger of a vehicle.

Turvill et al., however, does disclose an additional rigid member having a first portion (58), a second portion (50), a first mating fastener (72) part coupled to the first portion, a second mating fastener (80) part coupled to the second portion, wherein the additional rigid member is disposed around the pair of harness straps for maintaining the pair of harness straps in a proximal position about the chest of the passenger (Figure 1).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the invention of Lennox-Lamb in view of the teachings of Turvill et al. to use an additional rigid member so that harness straps will prevent an occupant of smaller stature from slipping in between the harness straps during a collision.

Response to Arguments

8. Applicant's arguments with respect to claims 8 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 8 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Drew J. Brown
Examiner
Art Unit 3616

db
1/16/07

 1/22/07
PAUL N. DICKSON
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